

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

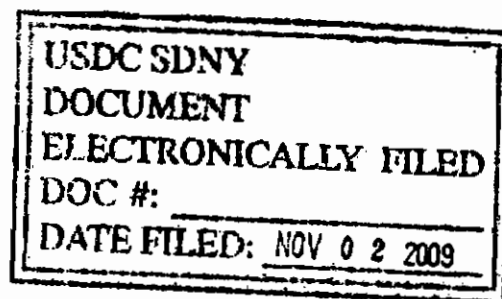
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LOUISIANA MUNICIPAL POLICE
EMPLOYEES RETIREMENT SYSTEM,

Plaintiff,

-v-

VIKRAM PANDIT, et al.,

Defendants.
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No. 08 Civ. 7389 (LTS)(FM)


ORDER

In an Opinion and Order ("Opinion and Order") dated September 10, 2009, the Court granted Defendants' motion to dismiss Plaintiff's complaint for failure to make a pre-suit demand on the Board of Directors ("the Board") of nominal defendant Citigroup Inc. On September 23, 2009, Plaintiff filed a Motion for Reconsideration which indicated that Plaintiff made a September 16, 2009, demand on the Board. In connection with this demand on the Board, Plaintiff requested that the Court retain jurisdiction over the above-captioned matter to avoid possible prejudice to the company and its shareholders should statutes of limitations expire while the demand was pending.

The Court grants Plaintiff's motion to the extent that the prior Opinion and Order is vacated insofar as it provides for dismissal and the entry of judgment upon failure to file an amended complaint. This case is hereby closed without prejudice to any application to reopen it within 30 days of a response from the Board to the September 16, 2009, demand of Plaintiff. The Court hereby retains jurisdiction of the action. This order resolves Docket Entry No. 44.

SO ORDERED.

Dated: New York, New York
November 2, 2009



LAURA TAYLOR SWAIN
United States District Judge